

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING)
PHARMACY, INC. PRODUCTS LIABILITY)
LITIGATION) MDL No. 1:13-md-2419-RWZ
)
THIS DOCUMENT RELATES TO:)
)
Case No. 1:14-cv-13507-RWZ)
)

**PETITION FOR FINAL APPROVAL OF DISTRIBUTION OF WRONGFUL DEATH
SETTLEMENT PROCEEDS PURSUANT TO VA. CODE § 8.01-55**

Petitioner Debra P. Buchanan, personal representative and duly qualified Executor of the Estate of Jean Hazel Dorothy Parsons, deceased, by counsel, respectfully petitions this Court pursuant to Va. Code § 8.01-55 to approve distribution of the proceeds of a settlement in this wrongful death case to the statutory beneficiaries and others. The settlement of this wrongful death case was previously approved by this Court in an order entered as of July 9, 2015 [Doc. 31]. A proposed order approving the distributions is attached hereto as Exhibit A.

A. Petitioner and Statutory Beneficiaries.

1. The Petitioner is Debra P. Buchanan, daughter of the decedent Jean Hazel Dorothy Parsons, who died on January 6, 2013.
2. On February 1, 2013 the Petitioner duly qualified as Executor of the Estate of Jean Hazel Dorothy Parsons in the Circuit Court for the County of Henry, Virginia.
3. Pursuant to Va. Code § 8.01-53, there are three statutory beneficiaries of the wrongful death estate of Jean Hazel Dorothy Parsons: Walter Parsons, surviving spouse, and Debra P. Buchanan and Peggy Sue Parsons-Powell, each of whom is a surviving child of the decedent and above the age of 18 years (the "Statutory Beneficiaries").

4. All of the statutory beneficiaries have executed a written Agreement Regarding Distribution of Settlement Proceeds (the "Agreement"), attached hereto as Exhibit B. In the Agreement the three Statutory Beneficiaries agree to the payment of specified attorney fees and expenses associated with the underlying case, and they further agree to the payment of any liens, followed by the distribution of the net proceeds in equal portions. In the Agreement, the Statutory Beneficiaries also waive notice and participation in any approval hearing by the Court.

5. The only known lien associated with the settlement proceeds is the following:

a. Medicare	\$21,409.09
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B. This Court has already approved the Settlement Agreement, subject to a final distribution order.

6. On July 9, 2015, this Court approved the underlying Settlement Agreement, subject only to entry of a final distribution order approving the distributions to be made from the settlement proceeds. The proposed order attached hereto as Exhibit A accomplishes this.

7. The Petitioner and the Statutory Beneficiaries request entry of the proposed order, and ask that this petition be set for hearing at a date and time to be arranged between the court and counsel, and that the Petitioner and Statutory Beneficiaries be allowed to appear by telephone rather than be required to travel from Virginia to appear in person.

Date: July 20, 2017

Respectfully Submitted

/s/Patrick T. Fennell
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Counsel for Debra P. Buchanan, Executor
of the Estate of Jean Hazel Dorothy Parsons,
deceased.

CERTIFICATE OF SERVICE

I hereby certify that on July 20, 2017, I electronically filed the foregoing with the Clerk of the Court using the Court's CM/ECF system, which then sent a notification of electronic filing (NEF) to counsel of record.

/s/Patrick T. Fennell